

Cr Misc 18954-M of 2007

Mr AS Dhaliwal, Advocate for
Mr Sanjeev Pandey, Advocate.

Seeks quashing of the FIR 332 dated 26.10.2003 registered at Police Station Focal Point, Ludhiana for the offence under Section 408 IPC.

It is submitted that the matter between the petitioner and the complainant has been compromised and the offence under Section 408 IPC is compoundable with the owner of the property in respect of which the breach of trust has been committed.

After giving my thoughtful consideration to the matter, it would be appropriate if the petitioner moves the trial Court in the first instance for compounding of the offence. The only reason given for not approaching the trial Court is that the case before it is fixed sometime in May 2007. In my view, that would hardly be a ground for not moving the trial Court. The petitioner may move an application for preponing the date and recording the statement of the complainant or filing an affidavit, as may be considered proper. In case such an application is made, the trial Court would consider and dispose of the same expeditiously.

In the light of the above observations, the present petition stands disposed of.

26.3.2007.
ASR

(S.S.SARON)
JUDGE